

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

Case No. 4:14-cr-00207 KGB

BECKY PFLASTERER

DEFENDANT

ORDER

Pending is defendant Becky Pflasterer's motion for bond (Dkt. No. 37). The government filed a response in opposition to the motion (Dkt. No. 38), and Ms. Pflasterer filed a reply (Dkt. No. 39).

On October 8, 2014, an indictment was returned as to Ms. Pflasterer. Court was called on October 21, 2014, and Ms. Pflasterer failed to appear. An arrest warrant was issued (Dkt. No. 2). Ms. Pflasterer appeared before the Court for plea and arraignment on November 19, 2014 (Dkt. No. 5). She was detained on an order of temporary detention (Dkt. No. 6).

On November 24, 2014, the Court held a detention hearing and, by agreement of counsel, Ms. Pflasterer was released on standard and special conditions (Dkt. Nos. 9, 10). Ms. Pflasterer's conditions were modified on April 30, 2015 (Dkt. No. 17). On May 26, 2015, the government filed a motion to revoke based on Ms. Pflasterer's alleged failure to comply with certain conditions the Court previously imposed pending trial (Dkt. No. 18). An arrest warrant was issued (Dkt. No. 21).

The Court held a hearing on the government's motion to revoke on June 9, 2015 (Dkt. No. 25). Because Ms. Pflasterer tested presumptively positive for illicit drugs prior to that hearing, the hearing was continued until June 12, 2015, and Ms. Pflasterer was detained. On June 12, 2015, the Court held a hearing and, after receiving argument from counsel and witness

testimony, determined that Ms. Pflasterer would be detained pending trial (Dkt. No. 27). Ms. Pflasterer admitted the allegations in the government's motion to revoke her pretrial release, and the Court determined "there are no conditions that can reasonably assure that she will appear in court, and that there is a serious risk that she will endanger the safety of herself or the community." (Dkt. No. 29). Ms. Pflasterer did not appeal that determination.

On July 15, 2015, Ms. Pflasterer entered a guilty plea to Count 1 of the indictment pursuant to a written plea agreement (Dkt. Nos. 31, 32, 33). At the entry of the guilty plea, Ms. Pflasterer and her counsel did not request at that time that the Court take up the issue of bond; Ms. Pflasterer was detained at the time of her plea and remains detained.

On August 7, 2015, Ms. Pflasterer filed her motion for bond, which the government opposes. She requests a hearing on her motion. In support of her motion, Ms. Pflasterer cites several reasons for this Court to reconsider the June 12, 2015, detention decision, including that her presence is needed at her place of employment and her home and that she likely will face a low guideline range of either zero to six or one to seven months incarceration as a result of her guilty plea. In addition, Ms. Pflasterer attaches to her reply information regarding her recent August 2015 participation in Alcoholics Anonymous. After careful consideration, the Court denies without prejudice the motion and request for a hearing on the issue of bond. None of the issues Ms. Pflasterer cites in her motion convince this Court that it should revisit the detention order issued in this case on June 12, 2015 (Dkt. No. 29).

The parties have until September 8, 2015, to object to the Presentence Report prepared at the Court's direction in this matter. After that date, this matter is ready to be set for a sentencing hearing. A sentencing date will be set by separate order. If sentencing cannot be set within a reasonable time from the entry of this Order due to counsels' calendars or if Ms. Pflasterer's

circumstances as recited in her motion and reply change, Ms. Pflasterer may file a motion for hearing on the issue of post-plea presentence bond.

Dated this 3rd day of September, 2015.

A handwritten signature in black ink, reading "Kristine G. Baker". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Kristine G. Baker
United States District Judge